



General Assembly

February Session, 2004

Substitute Bill No. 5657

* _____HB05657JUD____032204_____*

AN ACT CONCERNING HATE CRIMES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) For the purposes of
2 sections 53a-181j to 53a-181l, inclusive, of the general statutes, as
3 amended by this act:

4 (1) "Disability" means physical disability, mental disability or
5 mental retardation;

6 (2) "Gender identity or expression" means a person's gender-related
7 identity, appearance or behavior, whether or not that gender-related
8 identity, appearance or behavior is different from that traditionally
9 associated with the person's assigned sex at birth;

10 (3) "Mental disability" means one or more mental disorders, as
11 defined in the most recent edition of the American Psychiatric
12 Association's "Diagnostic and Statistical Manual of Mental Disorders";

13 (4) "Mental retardation" has the same meaning as provided in
14 section 1-1g of the general statutes; and

15 (5) "Physical disability" means any chronic physical handicap,
16 infirmity or impairment, whether congenital or resulting from bodily
17 injury, organic processes or changes or from illness, including, but not
18 limited to, blindness, epilepsy, deafness or hearing impairment or

19 reliance on a wheelchair or other remedial appliance or device.

20 Sec. 2. Section 53a-181j of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective October 1, 2004*):

22 (a) A person is guilty of intimidation based on bigotry or bias in the
23 first degree when such person maliciously, and with specific intent to
24 intimidate or harass another person because of the actual or perceived
25 race, religion, ethnicity, [or] disability, sexual orientation or gender
26 identity or expression of such other person, causes serious physical
27 injury to such other person or to a third person.

28 (b) Intimidation based on bigotry or bias in the first degree is a class
29 C felony.

30 Sec. 3. Section 53a-181k of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective October 1, 2004*):

32 (a) A person is guilty of intimidation based on bigotry or bias in the
33 second degree when such person maliciously, and with specific intent
34 to intimidate or harass another person because of the actual or
35 perceived race, religion, ethnicity, [or] disability, sexual orientation or
36 gender identity or expression of such other person, does any of the
37 following: (1) Causes physical contact with such other person, (2)
38 damages, destroys or defaces any real or personal property of such
39 other person, or (3) threatens, by word or act, to do an act described in
40 subdivision (1) or (2) of this subsection, if there is reasonable cause to
41 believe that an act described in subdivision (1) or (2) of this subsection
42 will occur.

43 (b) Intimidation based on bigotry or bias in the second degree is a
44 class D felony.

45 Sec. 4. Section 53a-181l of the general statutes is repealed and the
46 following is substituted in lieu thereof (*Effective October 1, 2004*):

47 (a) A person is guilty of intimidation based on bigotry or bias in the
48 third degree when such person, with specific intent to intimidate or

49 harass another person or group of persons because of the actual or
50 perceived race, religion, ethnicity, [or] disability, sexual orientation or
51 gender identity or expression of such other person or persons: (1)
52 Damages, destroys or defaces any real or personal property, or (2)
53 threatens, by word or act, to do an act described in subdivision (1) of
54 this subsection or advocates or urges another person to do an act
55 described in subdivision (1) of this subsection, if there is reasonable
56 cause to believe that an act described in said subdivision will occur.

57 (b) Intimidation based on bigotry or bias in the third degree is a
58 class A misdemeanor.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>

JUD *Joint Favorable Subst.*